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PART IV

Section—1-B.

ACTS OF PARLIAMENT AND ORDINANCES OF THE PRESIDENT WHICH APPLY TO MYSORE.

NOTIFICATION.

No. L.D. 1869—Legis. 2-50-40, dated Bangalore, 13th September 1950.

Ordered that the following Sugar Crisis Enquiring Authority Ordinance, 1950 (XXV of 1950), published in the *Gazette of India*, Part II, Section 1, dated the 1st September 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,

Legal Remembrancer and
Secretary to Government,
Law Department.

GOVERNMENT OF INDIA

MINISTRY OF LAW

THE SUGAR CRISIS ENQUIRING AUTHORITY ORDINANCE, 1950.

No. XXV OF 1950.

An Ordinance to vest an Enquiring Authority with certain powers.

WHEREAS a Bill containing provisions to vest an Enquiring Authority with certain powers has been introduced in Parliament but has not yet been passed,

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the said Bill;

NOW, THEREFORE, in exercise of the powers conferred by clause (*1*) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—(*1*) This Ordinance may be called the Sugar Crisis Enquiring Authority Ordinance, 1950.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall come into force at once.

2. *Definition.*—In this Ordinance, "Enquiring Authority" means the person appointed under the Resolution of the Government of India in the Ministry of Agriculture, No. SV-101 (4-15)/50, dated the 12th June, 1950, to make an enquiry into some aspects of the sugar crisis.

3. *Powers of Enquiring Authority.*—(1) The Enquiring Authority shall have all the powers of a civil court, while trying a suit, under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely :—

(*a*) summoning and enforcing the attendance of any person and examining him on oath;

(*b*) requirng the discovery and production of any document;

(*c*) reception of evidence on affidavits;

(*d*) requisitioning any public record from any court or office;

(*e*) issuing commissions for the examination of witnesses.

(*2*) The Enquiring Authority shall have power to require any person to furnish information on such points or matters as, in the opinion of the Enquiring Authority, may be useful for, or relevant to, the subject-matter of enquiry.

(*3*) The Enquiring Authority, or any officer specially authorised by the Enquiring Authority, may enter any building or place where he has reason to believe that any books of account or other documents relevant to the subject-matter of the enquiry may be found, and may seize any such books of account or documents or take extracts or copies therefrom.

(*4*) The Enquiring Authority shall be deemed to be a civil court for the purposes of sections 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898), and any proceeding before the Enquiring Authority shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code (Act XLV of 1860).

4. *Statements made by persons to the Enquiring Authority.*—No statement made by a person in the course of giving evidence before the Enquiring Authority shall subject him to, or be used against him in, any civil or criminal proceeding except a prosecution for giving false evidence by such statement:

Provided that the statement—

(*a*) is made in reply to a question which he is required by the Enquiring Authority to answer, and

(*b*) is relevant to the subject-matter of the enquiry.

RAJENDRA PRASAD,
President.

K. V. K. SUNDARAM,
Secy. to the Govt. of India.